

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	19-CR-00004-CB
v.)	
)	(The Honorable Cathy Bissoon)
STEPHEN K. SHANER,)	
)	
Defendant.)	
)	

POSITION OF DEFENDANT WITH RESPECT TO SENTENCING FACTORS

AND NOW comes Defendant Stephen K. Shaner, by and through his attorneys Michael Comber and Wesley Gorman, Esquires, and the law firm of Reisinger Comber & Miller, LLC, and, pursuant to Fed R. Crim. P. 32(f), U.S.S.G. § 6A1.2(b), Local Criminal Rule 32C4, and the Court's Presentence Order (ECF 66), respectfully submits this Position With Respect To Sentencing Factors.

I. Objections to the PSIR

Mr. Shaner has no objections to the Presentence Investigation Report. (ECF 68.)

II. Grounds for Departures or Variances From the Advisory Guideline Sentencing Range

Mr. Shaner does not anticipate any grounds for a departure or variance from the advisory guideline sentencing range.

The guideline range calculated in the Presentence Investigation Report is in Zone B of the Sentencing Table. As such, the sentence contemplated by the parties in their plea agreement pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure falls within the guideline range. U.S.S.G. §5B1.1(a)(2), 5C1.1(c)(3).

III. Certification

Defense counsel conferred with government counsel and the United States Probation Office.

Dated: April 7, 2021

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michael A. Comber", written over a horizontal line.

Michael A. Comber, Esquire
PA ID No. 81951

A handwritten signature in blue ink, appearing to read "S. Wesley Gorman", written over a horizontal line.

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